#

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4546 OF 2006

Sanjay Laxman Chavan .. Applicant
Versus
State of Maharashtra .. Respondent

Mr.Umesh Mankapure for applicant
Mr.Y.M.Nakhwa, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 22nd December 2006
P.C.

. Heard Mr.Mankapure for applicant and Mr.Nakhwa, A.P.P. for State. Applicant is arrested in connection with C.R.No.254 of 2006 registered with Vadgaon police station for offences punishable under section 302, 201, 120B of I.P.C.

2. I have perused the application and the annexures thereto including order of learned Additional Sessions Judge, Kolhapur.

3. From a perusal of these materials, prima facie, it is revealed that all that the applicant has done in the entire crime is providing his Fiat car in which he travelled with other accused. There is no role attributed to the applicant either in the assault or the administration of poison. In these facts peculiar to the applicant his application can be considered.

4. This fact is not seriously disputed even by the learned A.P.P. Hence, following order would sub-serve ends of justice.

i) The applicant arrested in connection with C.R.No.254 of 2006 registered with Vadgaon Police Station shall be enlarged on bail in the sum of Rs.20,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will remain present before the concerned investigating officer of Vadgaon police staion once in a fortnight on every 1st and 15th of every month between 5.00 p.m. and 7.00 p.m. till conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not

directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an

authenticated copy of this order.

(S.C.DHARMADHIKARI, J)